

NKRTL

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SEPTEMBER - DUES RENEWAL MONTH

FAITHFULNESS

A news reporter once remarked to **Mother Teresa** that all her efforts were not successful in eliminating poverty in Calcutta. To this she replied, "Jesus did not call us to be successful, but to be faithful."

For over 30 years **Northern Kentucky Right to Life**, as well as numerous other Pro-Life organizations, have labored to stop the American Holocaust: ABORTION.

Have Pro-Lifers eliminated abortion? No.

Have Pro-Lifers been successful? In some ways, yes.

Because of the ongoing efforts (education, changes in the law, continual prayers, sidewalk counseling, pregnancy centers, public demonstrations, countless Pro-Life literature and films), a number of children's lives have been saved from the hideous crime of abortion, and many young mothers will not have to live with the painful memory of having once destroyed a child who was living within them.

But have we been totally successful? No.

But God will ask if we have been faithful, totally faithful!

This is a question which each of us will have to answer when we stand before Him.

PURPOSE

For more than 30 years, Northern Kentucky Right to Life has faithfully directed its efforts to two main purposes:

The first purpose is to educate others:

- that all human life begins at the moment of fertilization.
- that each individual person's significance or importance is that he or she was created by God and his or her value is not determined by another person or persons.
- that the unborn child's right to life is from God.
- that every life is a life worth living.
- that abortion, for whatever reason, is always morally wrong and unacceptable.

the attacks on innocent human life (abortion, infanticide, euthanasia, etc.) and what must be done to stop the 1.5 million abortions performed in the U.S.A. each year.

The second area to which NKRTL has devoted its efforts is to change the present status quo which permits abortion on demand — for any reason, at any time, and by any method. In order to have the laws of our country again provide equal protection to the unborn child. The efforts of NKRTL have been directed to the passage and ratification of an amendment to the U.S. Constitution, and in the interim to provide as much protection as possible to the unborn children and to their mothers and fathers.

WHAT WE DO

To meet our obligation to be faithful, Northern Kentucky Right to Life volunteers continue their efforts through the following activities:

- publication of a newsletter
- maintaining an office and telephone to offer assistance and answer inquiries
- distribution of Pro-Life literature
- sponsoring speakers and films
- supplying voter information
- sponsoring rallies and picketing
- January "March for Life" newspaper ad
- Annual Celebration for Life
- scheduling monthly liturgies
- sale of Pro-Life Christmas cards
- publication of Pro-Life newspaper ads
- assisting other Pro-Life organizations, especially those involved in direct service to unwed mothers

RATING

From a pro-abortion former editor of *The Kentucky Post*, NKRTL received the rating of "terrorist."

On the other hand, from the Catholic weekly, *The Wanderer*, NKRTL was praised as "the most effective pro-life organization in the Midwest."

JOIN US

"I can't do everything," is a common excuse we tell ourselves when we wish not to do anything. Granted, no one can do everything, but there is so much for each of us to do.

First, meet your Christian obligation to educate yourself

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NKRTL's efforts have been to educate people about when human life begins, the value of each and every person,

**See NKRTL-PAC endorsements,
Infra**

and to continue to receive and read NKRTL's Newsletter

Your renewal of membership will guarantee that you will not only continue receiving the Newsletter, but that there will be sufficient funds to continue publishing it.

You will notice that our dues have been raised to \$20.00, which is still modest, and indeed the first raise of dues in more than 20 years. In fact, even though we are a totally volunteer organization, these dues alone would be wholly insufficient to support the costs of all of our activities including printing, postage, paper, office rent, utilities, etc. We are only able to meet these expenses because many

Your generous donations will assist our volunteers in their efforts to reach out and touch the hearts and minds of those in need of the Truth.

people choose to give generous donations.

SUPPORT NKRTL'S ACTIVITIES

We not only need your financial support, but also your active participation. Come join us at one of our monthly liturgies, sponsor one of our speakers at your event, help us distribute Pro-Life literature and our Newsletter, attend our Celebration for Life, rally with us at the Capitol or stand with us at Life Chain, put a bumper sticker on your car, vote Pro-Life, write your elective officials, etc., etc.

We were gratified recently to receive a personal check from **Most Rev. Roger J. Foys, D.D., Bishop of the Roman Catholic Diocese of Covington**, together with his kind exhortation for all to support NKRTL:

"For 32 years the Northern Kentucky Right to Life organization has fought the fight for the right to life at all its stages, recognizing that God is the true author of all life. I encourage attendance at the 30th Annual Celebration of Life. We take a stand for those things in which we believe. Let us all

See the enclosed flyer advertising the 30th Annual Celebration of Life at the Drawbridge on Sunday, October 12, at 1:30 p.m. Please come — and bring a friend!

take a stand for the precious gift of life!"

In his book, *Abortion: The Silent Holocaust*, **Father John Powell, S.J.** observes:

"I am also convinced that a handful of loyal pro-life activists will persevere and that their courage will eventually be rewarded with the victory of life over death. If we cave in, the stones will rise to accuse us of unfaithfulness to the unborn, who have no voice of protest except ours."

Please be faithful in renewing your membership — and extending it to others!

NKRTL VICTORIOUS IN THE DEFENSE OF THE UNBORN CHILD, BEFORE THE KENTUCKY SUPREME COURT

NKRTL attorneys again volunteered their services in filing an Amicus Curiae Brief before the Kentucky Supreme Court, and contributed to a successful and landmark judicial decision protecting innocent human life.

The most recent battlefield engagement in Kentucky in this ongoing war against the unborn was the case of *Grubbs v. Barbourville Family Health* and *Bogan v. McGuire*, involving two separate lawsuits asserting claims for "wrongful birth" and "wrongful life."

"Amicus Curiae" ("Friend of the Court") is an excellent device in American law under which individuals and organizations who are not technically parties to the lawsuit can ask a court for leave to present legal arguments on the issues presented, and can, thereby, have an effect upon the development of jurisprudence in a society. NKRTL has been doing precisely that for 32 years.

NKRTL President, Robert C. Cetrulo, participated in the research and brief preparation with attorney **Geoff Surtees of American Center for Law and Justice** at New Hope, Kentucky, in this case.

Claims for "wrongful birth" and "wrongful life" are civil suits for damages brought against physicians. These claims do not contend that the doctor's actions caused the health problem in the unborn child, or that the child's medical condition could have improved had it been discovered in utero. They simply contend that if the physician fails to diagnose a defect in the unborn child, and fails to notify the parents, the parents have thus been denied the "opportunity" to abort the child, and the physician should be liable for damages.

In the growing pro-death and increasingly litigious atmosphere of the United States, the number of such civil suits for damages have increased over the years. Most state courts have rejected both claims, holding as a matter of law that such causes of action do not exist.

In 1983, the Kentucky Supreme Court rejected such a claimed suit for "wrongful life" as "*a contradiction of terms.*"

In the current case presented before the Kentucky Supreme Court, the intermediary appellate court, the Kentucky Court of Appeals, had held that "wrongful birth" constituted a cognizable cause of action in this Commonwealth.

Both theories, "wrongful life" and "wrongful birth," are predicated upon a concept that life itself can constitute a legal injury. Such claims are an affront to the sanctity of human life and repugnant to the very principles upon which the United States was founded, as demonstrated in the Declaration of Independence. Such legal theories

inevitably lead to a eugenic mentality whereby the “unfit” are made disposable. As observed by the Alabama

“Upon what legal foundation is the court to determine that it is better not to have been born than to be born with deformities? If the court permitted this type of cause of action, then what criteria would be used to determine the degree of deformity necessary to state a claim for relief?”

It was chilling to hear the opposing lawyers plead for the adoption of such a “death is better than life” rule! Those lawyers told the judges that the child in question “had no life” and indeed was “of no value to his parents.”

An attorney for the Kentucky Department of Medicaid Services, advocating damages against the doctors who had failed to kill the child in utero, or advise the mother to do so, brazenly made the callous cost/benefit analysis of human life argument by explaining to the judges how much money it costs to sustain the child’s life.

Make no mistake that these lawsuits are specifically calculated to intimidate all physicians into cooperation with the “culture of death” mentality by subjecting them to legal liability for damages if they fail to do so.

“Pro-choicers” oppose “choice” for Pro-Lifers. Evil cannot coexist with good and will actively insist upon destroying good. Evil’s goal is not to be “tolerated” but to mandatorily enforce its principles on everyone.

The lawyers for the physicians made the usual arguments in opposition to these claims based upon the traditional system of tort law (personal injury liability), pointing out that these claims cannot meet the standard tests of liability in tort: duty, breach, causation, and damages.

One of the defense lawyers, however, caught the rapt attention of all of the judges on the court by his focus, un-apologetically, upon the truly decisive issues that must resolve such claims, i.e., uncompromising commitment to the sanctity of all innocent human life, objectively and fearlessly applied. Any other position obviously leads to furthering the morass in which we find ourselves today. He pointed out that disabled children are “not without benefit to their parents or to society.”

How arrogant of anyone to suggest that it would be better if those children did not exist! Such claims undermine the very essentials of our civilization. He told the judges that whether the issue be characterized as theological, philosophical, ethical, or whatever, the court simply had no business adopting such a doctrine.

The sober and serious silence on the part of all of the judges, who had been routinely interrupting the other lawyers with questions, eloquently demonstrated the principle that truth is indeed self-proving. It is written on the heart of each of us by our Creator at conception, and needs to be powerfully advocated by all of us in position to do so by making our arguments based on fundamental and unchanging moral principles, rather than technical or pragmatic positions.

A Major Pro-Life Judicial Victory

Supreme Court (rejecting these theories):

Chief Justice Lambert, writing for a 5 to 2 majority on the Kentucky Supreme Court, held that neither suit represented a valid cause of action under the law.

An even stronger concurring opinion, stating the grounds for the Pro-Life position, was written by **Justice Donald Wintersheimer** of Northern Kentucky:

“Wrongful life is a contradiction in terms. It is contrary to the public policy of this state as expressed by the legislature and interpreted by the courts. ...the paramount reason for rejecting a wrongful life claim involves the very dignity of the human person and the very sanctity of human life itself. It is basic to our culture that human life is precious. To recognize wrongful life as a tort would do violence to that purpose and is completely contradictory to the belief that life is precious. ...The Nazi regime under Adolf Hitler is a not-too-distant reminder of this kind of eugenic approach. ...To permit a claim for wrongful life or wrongful birth would undermine the proposition that all human persons, no matter their race, religion, or ability, are precious and worthy of respect.”

Anti-life votes were cast by **Justice Stumbo** of Prestonsburg and **Justice Keller** of Lexington.

Witnessing this experience firsthand in the Kentucky Supreme Court was a chilling reminder of the ongoing life-and-death struggle between the power of truth and the relentless insistence of evil, continually played out on the stage of the lives of each of us.

These are truly titanic life-and-death struggles, not just for those unborn children, or their parents, or for old or sick people, or physicians, but for the very survival of any society that wishes to claim the title “civilization.”

Fetal Homicide Case Next Before the Kentucky Supreme Court

Attorneys Surtees and Cetrulo have just filed an Amicus Curiae Brief in another case pending before the Kentucky Supreme Court, *Commonwealth of Kentucky v. Morris*, which presents for reconsideration the issue of the personhood of the unborn child for purposes of the crime of homicide in Kentucky. The unborn child has routinely been held to be a “person” for the purpose of bringing a civil action for damages for injury or death in the womb committed by the negligence of another person, but our court has persisted in its inconsistency in holding that it is not a “person” when the perpetrator of an assault “forced his hand up his pregnant wife’s vagina, thereby killing the fetus and substantially damaging the wife’s uterus and vagina.”

An increasing number of states have abandoned that negative position, and have recognized the punishable nature of this crime, either by statute, or by judicial decision. We are enthused that the matter is being reconsidered by the Kentucky Supreme Court. Stay tuned.

“The fundamental human right to life ... is not one right among others, but rather the basic right... .”
Pope John Paul II, 1994

AN ACCURATE AND EXCITING HISTORY OF THE PRO-LIFE MOVEMENT

“An enthralling account of 32 years of Pro-Life activism, presenting an accurate snapshot of life at the end of the 20th century, and including a treasure trove of citations, references and documents,” is one reviewer’s description of the new book just published last month by **NKRTL President Robert C. Cetrulo**, *That Reminds Me of a Story...Reflections of a Pro-Life Warrior*.

Glowing and exuberant endorsements on the book’s back cover are written by giants in the Pro-Life field such as **Judie Brown**, President of American Life League, Notre Dame Law Professor **Charles Rice**, the widely beloved teacher and preacher, **Fr. Roger K. Arnsperger**, and noted author **Fr. John Powell, S.J.** (who writes):

“I don’t know how the Lord chooses His prophets. I only know that Bob Cetrulo is one of them. I am grateful for people and prophets like him. He will always be in my grateful heart and prayers.”

The 266-page book can be purchased from NKRTL for \$12.95 for direct pickup, or by adding \$2.95 for shipping and handling. Addresses and further details describing the book are contained in a flyer enclosed in this newsletter.

Picture of Mr. Cetrulo’s
book